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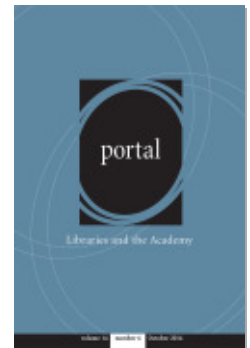
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## Unwrapping the Bundle: An Examination of Research Libraries and the “Big Deal”

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# Unwrapping the Bundle: An Examination of Research Libraries and the “Big Deal”

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Karla L. Strieb and Julia C. Blixrud

**abstract:** This study presents and analyzes the findings of a 2012 survey of member libraries belonging to the Association of Research Libraries (ARL) about publishers’ large journal bundles and compares the results to earlier surveys. The data illuminate five research questions: market penetration, journal bundle construction, collection format shifts, pricing models, and license terms. The structure of the product is still immature, particularly in defining content and developing sustainable pricing models. The typical “bundle” is something less than the full publisher’s list. Neither market studies nor market forces have produced a sustainable new strategy for pricing and selling e-journals. Finally, the data reveal a complex history of managing license terms.

## Introduction

Licensed full-text journal packages have become a nearly universal component of academic library collections in the second decade of the twenty-first century. While publisher-delivered e-journal bundles have been part of library collections for fifteen years or more, they are still a lightning rod for critique and debate. Librarians observe that a few products account for a disproportionate share of costs,<sup>1</sup> and commercial publisher revenue reports continue to suggest that scholarly journals are among the most impressively profitable products produced in the free market.<sup>2</sup>

As a result of the 2007–2009 recession, many academic libraries have been under unusual—if not unprecedented—fiscal constraints, highlighting the problems of managing e-journal bundles, which are a costly and relatively inflexible information product. Yet, the large publishers’ e-bundles have presented a unique set of problems to libraries since their inception. This situation created an opportunity for the authors to gather current data on library licensing of large publisher journal bundles and to step back and look at how libraries’ experiences with large bundles have evolved over time and



through changing circumstances. The Association of Research Libraries (ARL) is well positioned to gather data from its membership on licensing of large e-journal packages and has done so several times over the past decade. These data, further contextualized by other published works, can be used to describe how core research collections have evolved and to look at how earlier concerns and expectations have proved prescient or shortsighted.

This paper will report the findings of a 2012 survey of ARL member libraries and, where possible, compare the findings to earlier surveys conducted by ARL as well as other published studies. These information sources particularly inform the following research questions:

- What is the current market penetration of large e-journal bundles among large North American research libraries, and how has it changed over time?
- How has the nature of the “bundle” or “Big Deal” evolved since the launch of electronic journals?
- What has been the trajectory from the collecting of print to the acquisition or licensing of electronic-only materials?
- How have pricing models changed over time?
- How have licensing and contract terms evolved over time and through the economic crisis?

## The Emergence of Large Publisher Bundles

With the advent of the World Wide Web in the mid-1990s, many scholarly journal publishers began the process of creating digital, Web-delivered versions of their journals. From the outset of this development, commercial science, technical, and medical (STM) publishers launched business models licensing to libraries multi-title sets of the e-versions of the journals in their stables. Part of the initial appeal of the e-journal was the fact that there was little additional marginal cost for the publisher in providing access to digital

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copies of journals that fell outside the circle of a library’s historic subscriptions. Digital publishing was cost-effective because no added print production, handling, or delivery was required.<sup>3</sup> While some alternative business models were studied (most notably through the Red Sage<sup>4</sup> and Tulip<sup>5</sup> projects), the predominant e-journal products quickly became a package representing either the publisher’s full title list or a large subset based on some sort of historic subscription pattern. In a period when inflation in science and technology journals had been a source of concern for decades,<sup>6</sup> librarians viewed

the advent of new e-journal products as a mixed blessing from the start. The benefits of offering journal article discovery and delivery in a networked digital environment



were obvious. At the same time, publishers gained opportunities to reduce production costs and increase prices while restricting uses such as interlibrary lending. Research libraries exchanged ownership of their own copies of articles to licensing access to copies for a fixed period. Also worrisome was how issues such as ensuring long-term digital preservation would be addressed.

Arguably, the seminal discussion of a set of emerging concerns around large commercial publishers creating e-journal products was the 2001 article by Kenneth Frazier.<sup>7</sup> In "The Librarians' Dilemma," Frazier framed a set of issues as "the Big Deal," which he defined in this way: "In the Big Deal, libraries agree to buy electronic access to all of a commercial publisher's journals for a price based on current payments to that publisher, plus some increment. Under the terms of the contract, annual price increases are capped for a number of years." The three issues Frazier highlighted were "enhanced loyalty," "disintermediation," and "changing the rules." "Enhanced loyalty," or perhaps enforced loyalty is more descriptive, referred to the difficulty libraries face in reducing costs and titles from their bundles. Both user loyalty and publishers' ability to define their products as a bundle rather than aggregations of separately priced titles make it difficult for customers to reduce their expenditures or to remove content from the publisher product. "Disintermediation" of serial vendors, whose services had been integral to journal subscription management prior to the rise of bundled e-journals, was well underway by the time of Frazier's article. Also under disintermediation, Frazier included efforts by publishers to inhibit the sharing of articles between libraries via interlibrary loan and the resulting erosion of libraries' ability to count on one another to supply copies of articles. "Changing the rules" referred to the opportunity for stakeholders in a networked digital environment to reshape the practices of scholarly communication and to reconfigure the role of commercial journal publishing. For better or for worse, the labels of "bundle" and "Big Deal" have stuck to large publisher packages, and librarians continue to revisit many of the concerns Frazier articulated.

Another facet of the rise of e-journals has been the issue of rethinking print journal subscriptions. A great deal has been written describing a range of concerns with relinquishing the acquisition of print journals, covering issues from preservation to access.<sup>8</sup> Within the first decade of licensing e-journals, it was clear that libraries were in the process of eliminating print subscriptions corresponding to licensed electronic collections.<sup>9</sup> A study by Roger Schonfeld, Donald King, Ann Okerson, and Eileen Gifford Fenton in 2004 documented the substantial nonsubscription costs to libraries of both print and electronic formats, and further underlined the burdens of dual-format collecting.<sup>10</sup> In 2005, Cornell University Libraries in Ithaca, NY, hosted the Janus Conference to explore six key challenges in collection development, one of which was the full conversion to digital publishing. There, Ross Atkinson articulated a need for the library community to "accelerate the transition to digital publishing . . . We must send a clear message to publishers that we want digital now. We cannot simply wait until they are ready."<sup>11</sup> A 2007 study by Richard Johnson and Judy Luther provided further insight into both librarian and publisher perspectives while documenting the varied opportunity costs and other expenses associated with retaining dual-format publishing (and collecting).<sup>12</sup>

The terms and conditions by which publishers make e-journal bundles available in research institutions were a major source of concern for libraries from the early days of



journal licensing.<sup>13</sup> Serving large constituencies and complex organizational structures, e-journal bundles offered opportunities for easy access only insofar as restrictions were

kept to a minimum. Negotiating not only prices but also—and perhaps more importantly—contract terms became a critical component in licensing Big Deals.

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### Member Surveys Conducted by ARL

*ARL Statistics* has provided an ongoing source of information on serial expenditures and the impact of the rise of electronic journals in large libraries. In the mid-1990s, ARL began

gathering information on electronic resource expenditures, which were growing rapidly.<sup>14</sup> It was clear that large publisher packages of e-journals were significant drivers of both increases in serials costs overall and within the subset of electronic resources. In an environment of growing concern about the evolving "Big Deals," ARL conducted two ad hoc surveys of its more than 120 member institutions in 2002 and 2003 that gathered exploratory data on costs, license terms, numbers of titles subscribed per publisher, formats collected, and date of initiating electronic journal subscriptions. Together, the two surveys highlighted some of the challenges of trying to gather consistent and interpretable data from a diverse set of institutions about a rapidly changing set of products.

In 2005, ARL conducted another ad hoc member survey, gathering information on 2006 subscriptions. This study attempted to avoid some problematic aspects of the survey design identified in the first surveys while providing data related to emerging concerns and enabling some comparison with the earlier surveys.<sup>15</sup> At this point, many libraries had renegotiated contracts multiple times with publishers, and there was interest in understanding whether greater experience on both sides of the negotiating table was having some effect. Also by this time, Jeffrey Gatten and Tom Sanville's provocative article analyzing a potential retrenchment strategy for consortia had initiated a few conversations regarding whether the composition of large bundles could be changed.<sup>16</sup>

By 2012, the time was ripe to conduct a third survey of ARL member libraries to determine how the environment had changed since 2006, particularly in response to the severe economic recession that commenced in 2007. In January 2009, the Interna-

tional Coalition of Library Consortia (ICOLC) issued a "Statement on the Global Economic Crisis and Its Impact on Consortial Licenses" that highlighted the dire effects of the recession. The ICOLC statement explored the recession's implications for library acquisition or licensing of electronic resources negotiated as a consortium, including large publisher journal packages.<sup>17</sup> ARL also issued a statement in early 2009 af-

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**The economic crisis highlighted concerns with the inflexibility of bundle pricing models and called into question the affordability and sustainability of complete publisher packages.**

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firming that the unfolding economic crisis severely impacted even the largest research libraries.<sup>18</sup> Many institutions announced journal cancellation projects and issued public statements about their fiscal situations.<sup>19</sup> Data gathered through ad hoc budget surveys documented the erosion of ARL members' budgets for library materials in the wake of the recession.<sup>20</sup> For instance, Charles Lowry in 2011 found that more than half of surveyed ARL libraries reported canceling journals in fiscal 2009–2010.<sup>21</sup> The economic crisis highlighted concerns with the inflexibility of bundle pricing models and called into question the affordability and sustainability of complete publisher packages.

With its 2012 survey on bundles in member libraries, ARL now has accumulated a set of data that provides a decade-long perspective on the large publisher bundle. This continuity of assembled data is unique in the breadth of topics and the span of time covered collectively by the surveys.<sup>22</sup> These data provide many potential insights with regard to the questions identified in this article.

### Data Gathering and Analysis Methods

The main source of the data reported in this paper is the 2012 ARL member survey. Where possible, the findings are presented with data from earlier ARL member surveys integrated into the reporting and analysis, since these have not previously appeared in a peer-reviewed source.<sup>23</sup> This integration of findings allows a modest amount of what statisticians call time series analysis, which examines a set of data gathered sequentially. The key questions include adoption of licensed publisher bundles over time, transitioning from collecting print plus electronic versions to electronic-only collecting, and the acceptance or rejection of nondisclosure clauses.

The 2012 survey was released to all ARL member institutions in the summer of 2012, and data were gathered through September of that year. Responses were at the institutional level by publisher and covered contracts in effect for calendar year 2012 content. The data presented here are factual and descriptive in nature. Perceptual data were not gathered.

To assist the reader in evaluating the quality of the data, brief information on response rates for each survey is provided:

- For 2002 licenses, data were gathered from 40 of the 124 (32 percent) ARL member libraries.
- For 2003 subscriptions, data were provided by 57 of the 124 (46 percent) ARL member libraries.
- For 2006 subscriptions, data were gathered for 89 of the 123 (72 percent) ARL member libraries.
- For 2012 subscriptions, data were assembled for licenses at 81 of 125 (65 percent) ARL member libraries.

The authors reviewed the original data files from the 2002, 2003, and 2006 surveys. A few reported figures differ slightly from those published previously.

While the ARL surveys provide an unusually consistent picture of the changing shape of licensing over time, the evolution of licensing inevitably poses challenges for comparisons. The publishers of interest changed over time as the market evolved. The





2002 survey gathered data on sixty publishers, reporting findings from the fourteen publishers with subscriptions that were most commonly held by the responding libraries. The 2006 survey was designed to assemble data on a smaller list of publishers in an effort to improve response rates. The five largest publishers at the time were Blackwell Publishing, Reed Elsevier Group plc (Elsevier), Springer Science+Business Media (Springer), Taylor & Francis Group (Taylor & Francis), and John Wiley & Sons, Inc. (Wiley). By 2012, Wiley had acquired Blackwell to form Wiley-Blackwell, and the American Chemical Society (ACS), Nature Publishing Group (Nature), and Sage Publications (Sage) had grown in scale to justify their inclusion among the publishers of interest.

The membership of ARL is stable, but it did vary slightly over the period of the surveys. Also, while response rates in the individual surveys were high, there was still substantial variation in which member institutions chose to respond to given surveys. This variation constrains the comparability of findings between surveys. In addition, as the concerns of the research library community evolved over time, the wording of comparable questions was not identical. The relevant questions from the instruments for the 2006 and 2012 surveys are reproduced in Appendix A and B, respectively, to assist the reader in assessing the validity of the comparison presented.

Another complexity of gathering data on journal licensing is that survey designers must determine whether to gather data corresponding to individual negotiations or individual institutions. The data from the ARL surveys repeatedly documented that consortia representing many libraries conduct most

large bundle licensing. A single negotiation might set the price for licensing annual access to a journal package for as few as a handful of libraries or for upward of fifty or more libraries. In the case of Canadian libraries during the survey period, most negotiations for the products of interest were conducted at a national level. Since payments for these purchases were generally funded at the institutional level and

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the corresponding print collections were historically built at the institutional level, the ARL member surveys were designed to gather data at the institutional level. This means that multiple institutions could be reporting on a single negotiation or that a consortium could provide data on a publisher bundle on behalf of multiple institutions.

The findings thus are largely descriptive. General observations on trends are reported and analyzed, in a few cases in the context of data sources other than the ARL surveys. The data from previous surveys were reexamined to ensure consistency in the reporting.

## Findings and Analysis

### Market Penetration and the Role of Consortia

Perhaps the most basic question addressed across all three surveys of ARL member libraries is the simple question of the proportion of libraries that reported licensing a package of publisher titles. Table 1 provides the data for the seven publishers covered in the 2012 survey, which are also the publishers most consistently reported across the ten years of the time series.



Table 1.  
ARL libraries licensing large publisher bundles

Publisher	2002			2006*			2006			2012†		
	Responses	Have license	%	Responses	Have or planning to license	%	Responses	Have license	%	Responses	Have license	%
American Chemical Society	24	24	100	n/a	n/a	n/a	n/a	n/a	n/a	71	69	97
Elsevier	36	31	86	89	69	77.53	61	56	92	61	56	92
Nature	n/a	n/a	n/a	n/a	n/a	n/a	59	51	86	59	51	86
Sage	n/a	n/a	n/a	n/a	n/a	n/a	75	67	89	75	67	89
Springer	35	35	100	89	68	76	77	73	95	77	73	95
Taylor & Francis	32	30	94	89	19	21	66	38	58	66	38	58
Wiley	38	34	89	89	72	81	75	72	96	75	72	96
Total responding	40		32	89		72	81		65			

\*Data based on combination of report in ARL 2005 survey of "have licensed [for 2006]" with "planning to license [for 2006]." (Hahn, "The State of the Large Publisher Bundle," Table 1).

† In 2002, Springer and Taylor & Francis were providing electronic access free with print (Case, "A Snapshot in Time," Table 4).





Obviously, by 2012, the large publisher package had become the overwhelming strategy research libraries used to purchase or license journal content. The simplicity of the presentation masks some important complexities and dynamics operating over the decade of the surveys. Response rates for the 2002 subscriptions were substantially lower than for the two subsequent surveys. It is possible that this low response rate reflects a responder bias in favor of institutions subscribing to bundles and inflated the apparent subscription levels in 2002. Another factor clearly affecting adoption of publisher bundles was the pricing strategies used by publishers for their e-journals, which varied even for individual publishers over the survey period. Taylor & Francis, for instance, provided access to its e-journals free with corresponding print subscriptions in 2002. By 2006, Taylor & Francis had switched to a model where its e-journals were available only as a single package of all its titles. This change in models likely accounts for the precipitous drop in subscriptions visible in 2006. While Taylor & Francis was offering libraries more flexible e-journal packages by 2012, adoption rates are still noticeably depressed relative to those in 2002.

All three surveys found that consortia negotiated substantial proportions of large publisher contracts. Table 2 shows the percentage of libraries with contracts that used consortia as their negotiators.

With the possible exception of Elsevier (where the variation between 2006 and 2012 is probably too small to interpret), the practice of negotiating as a consortium increased consistently across the period of the three surveys. While no publisher seems to work exclusively through consortia, it is clear that such groups are the main negotiators of large publisher e-journal bundles, at least for the research library community.

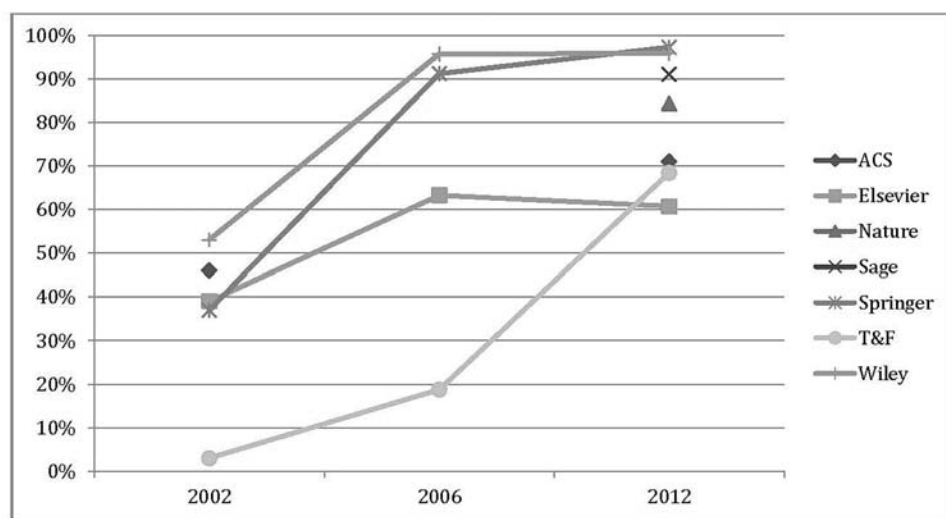


Figure 1. ARL libraries licensing via consortia



Table 2.  
ARL libraries licensing via consortia

Publisher	2002			2006			2012			2012		
	Responses	License via consortia	%	Responses	License via consortia	%	Responses	License via consortia	%	Responses	License via consortia	%
American Chemical Society												
Society	24	11	46	n/a	n/a	n/a	70	49	70	49	70	70
Elsevier	31	12	39	68	43	63	57	34	60	34	60	60
Nature	n/a	n/a	n/a	n/a	n/a	n/a	56	43	77	43	77	77
Sage	n/a	n/a	n/a	n/a	n/a	73	61	84		84		
Springer	35	13	37	67	62	93	75	71	95	71	95	95
Taylor & Francis	30	1	3.3	16	3	19	55	26	47	26	47	47
Wiley	34	18	53	71	67	94	75	69	92	69	92	92
Total responding	40	n/a	32	79	n/a	64	81	64	65	81	65	65



## What Is the Bundle?

A key issue throughout the history of large publisher e-journal offerings has been the composition of the package. The “Big Deal” as articulated by Frazier emphasized the

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problems for libraries when the e-journal bundle is defined as the full list of the publisher’s titles. Bundles defined as a full publisher list raise substantial questions about how to set a fair price and how libraries can reduce expenditures when there are neither separate prices for individual titles nor the ability to reduce expenses by dropping titles from a package. Unfortunately, in 2002, data on the size of bundles were gathered in a way that made interpretation and presentation of the information difficult. While it is clear in Mary Case’s 2004 study that some libraries picked up additional e-journal subscriptions relative to their print collections, it is impossible to determine what proportion of subscriptions with any publisher ordered full title sets. The 2006 and 2012 survey designs addressed this deficiency in allowing for some useful observations about the fate of the “Big Deal” full title list product over time.

Unfortunately, comparable data are available for only the four largest commercial publishers; however, these publishers generally have been the focus of scrutiny within the library community, and some interesting patterns are evident. For all four publish-

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ers, research libraries appear to have pulled back from the “Big Deal” substantially. Even in the 2006 data, it appears that the “Big Deal” was not a dominant market model among the largest publishers. The unsuccessful efforts of Taylor & Francis to force full-list subscriptions into the market are visible by the low uptake in 2006 (documented in Table 1), followed

by the increase in uptake in 2012 when the company embraced more selective title list licenses. If there was momentum toward libraries adopting “Big Deals” in 2006, it appears that the vicissitudes of the intervening recession have pushed research libraries into more selective e-journal purchasing or licensing.

## Pricing Models

Pricing models are another issue that has been difficult to survey successfully, but it is also one where the patterns that have emerged over time diverge somewhat from the expectations of librarians and publishers in the 1990s. The 2012 data document that a single pricing model predominates, particularly among the multidisciplinary large commercial publishers.



Table 3.  
ARL libraries licensing full-title lists

Publisher	2006		2006		2006		2012		2012		2012	
	Have license	123 libraries surveyed	License full-title lists	%	Have license	125 libraries surveyed	License full-title lists	%	Have license	125 libraries surveyed	License full-title lists	%
American Chemical Society	n/a	n/a	n/a	n/a	70	40		57				
Elsevier	68	22	32		52	12		23				
Nature	n/a	n/a	n/a		46	5		11				
Sage	n/a	n/a	n/a		58	32		55				
Springer	68	34	50		64	23		36				
Taylor & Francis	16	14	88		34	9		26				
Wiley	70	26	37		64	12		19				
Total responding	89		72		81			65				



Table 4.  
Pricing model structures for 2012 contracts

	Historic spend	Aggregate subscription	Tiered	Usage	Other/cannot disclose	Response
American Chemical Society	15	21	19	0	11	66
Elsevier	43	5	0	0	8	56
Nature	7	16	21	1	6	51
Sage	39	9	6	1	13	68
Springer	53	7	1	0	10	71
Taylor & Francis	28	10	1	0	4	43
Wiley	49	4	1	0	14	72
Total responding						76

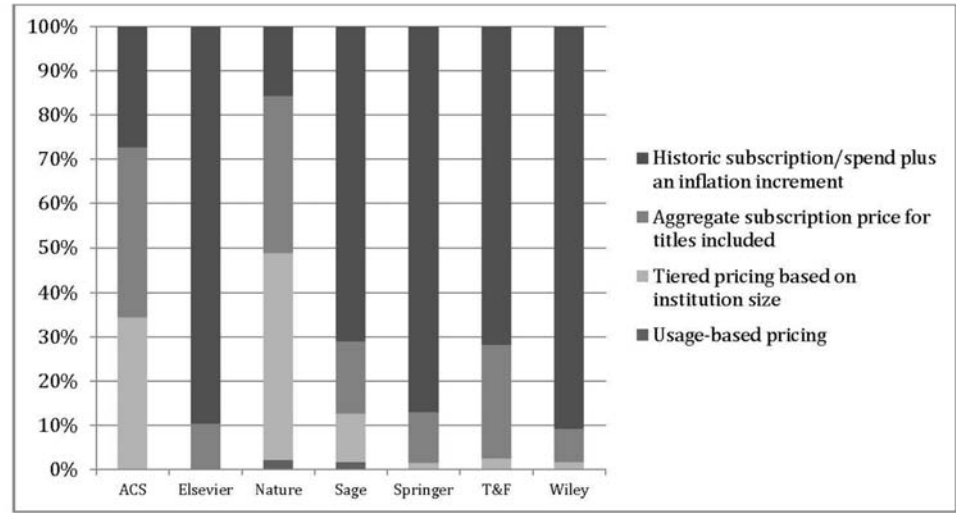


Figure 2. Pricing model structures for 2012 contracts

For the four largest consistently tracked publishers in 2012, most libraries reported that their pricing was still based on a historic expenditure figure inflated annually by negotiated increments. A distant minority relied on an aggregated list price and, for a few publishers with smaller title lists, tiered pricing had made some inroads. The 2006 survey did not gather comparable information, in part because the smaller set of publishers



covered in that survey consistently used similar models. In 2002, pricing models were framed somewhat differently because print and electronic pricing were largely bundled together in some way. A few publishers offered e-formats free with print subscriptions, others made available options to add e-formats to print subscriptions for an extra cost, and still others offered what was called “flipped pricing,” with print priced as an add-on to electronic subscriptions.

## Print Collecting

A key facet of the development of e-journal collecting has been the transition away from print. ARL’s survey of 2002 subscriptions showed that acquisition of print materials was still central to collection building, although comments suggested that the switch to electronic-only subscriptions was looming for some institutions. E-journals were largely functioning as additions to print collections. By the time data were gathered on 2006 subscriptions, the situation had changed considerably. Also between 2006 and 2012, the Janus Conference had changed the conversation within the research library community considerably by highlighting the market-wide problems created by dual-format publishing. In the 2012 survey, a key question had become how much print was still being collected when the digital format had become the focus of the large publisher packages.

Perhaps surprisingly, the ARL member survey in 2006 revealed that more than half of libraries with contracts for e-journal bundles were no longer collecting any of the equivalent print titles. While the data were not assembled in a directly comparable way, Case’s 2004 study and Table 1 showed that this was by no means the situation in 2002. Clearly, a rapid change occurred in the first half of the first decade of the twenty-first century within the research library community. By 2012, the adoption of e-journal collecting appears to be largely complete, with only seven libraries indicating that they bought print equivalents for a single publisher, Taylor & Francis. However, the most recent survey also showed that, for every publisher, many libraries continue to retain selected titles in print.

The comments from the survey highlight that libraries’ purchasing of print is now highly selective; several libraries described collecting only a handful of titles. It is not clear from the comments why libraries retain print, whether because of issues with the electronic format of a particular title, concerns about preservation, or to meet the needs of small groups of users or perhaps even individual users.

## License Terms

Beyond pricing, content, and format, another enduring concern arising from the shift to e-journal licensing instead of print purchasing has been the insertion of license terms that potentially conflict with long-standing library practices and values. The most fun-

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Table 5.  
ARL libraries reporting no print equivalents

Publisher	2006		2006		2012		2012	
	Responses	123 libraries surveyed No print equivalents	%	Responses	125 libraries surveyed No print equivalents	%		
American Chemical Society	n/a	n/a	n/a	53	40	75		
Elsevier	68	35	51	49	29	59		
Nature	n/a	n/a	n/a	47	25	53		
Sage	n/a	n/a	n/a	56	37	66		
Springer	68	28	41	51	25	49		
Taylor & Francis	16	8	50	49	27	55		
Wiley	70	33	47	59	38	64		
Total responding	89		72	81		65		



# Table 6.

ARL libraries collecting print copies of titles included in 2012 contract

Publisher	2012 Yes for all	2012 Yes for selected	2012 Other/cannot disclose	2012 Responses	2012 % yes
American Chemical Society	0	12	1	53	23
Elsevier	0	18	2	49	37
Nature	0	20	2	47	43
Sage	0	18	1	56	32
Springer	0	21	5	51	41
Taylor & Francis	7	15	0	49	31
Wiley	0	20	1	59	34
Total responding				69	55

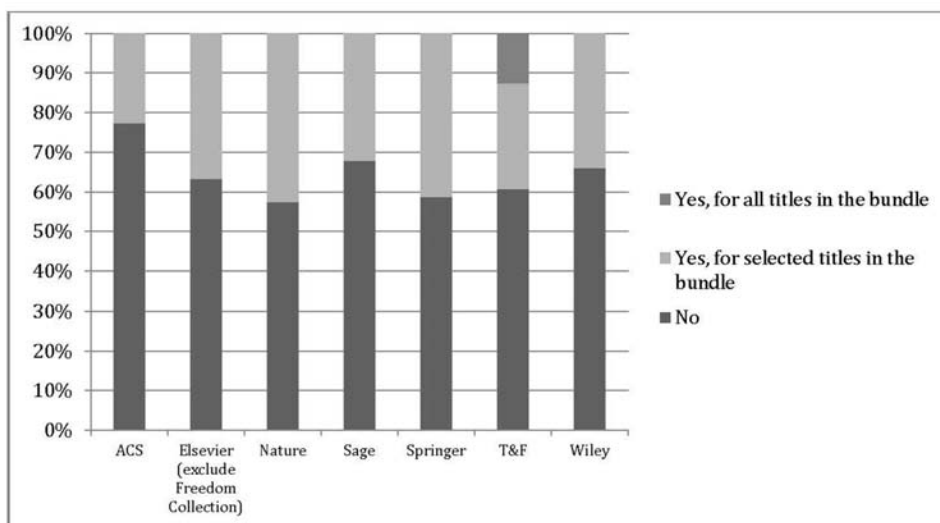


Figure 3. ARL libraries collecting print copies of the titles included in 2012 contract



Table 7.  
ARL libraries with nondisclosure agreements by publisher

Publisher	2006	2006	2006	2012	2012	2012
	123 libraries surveyed Responses	Have agreement	%	125 libraries surveyed Responses	Have agreement	%
American Chemical Society	n/a	n/a	n/a	47	5	11
Elsevier	50	14	28	54	18	33
Nature	n/a	n/a	n/a	35	7	20
Sage	n/a	n/a		51	14	27
Springer	36	6	17	52	11	21
Taylor & Francis	10	2	20	38	3	7.9
Wiley	61	37	61	54	14	26
Total responding	89		72	81		65

damental of these is the nondisclosure of license terms. Data on nondisclosure were gathered in all three survey cycles.

While calls for avoiding nondisclosure clauses date to the beginnings of e-journal licensing,<sup>24</sup> the survey data document fluctuations in behavior and policy. Unfortunately, the first member survey gathered licensing information at the institutional rather than the contract level. Those early data showed that most public institutions could legally sign contracts governed by a nondisclosure clause, with 65 percent asserting their ability to sign such contracts, while 82 percent of private institutions responding to the survey indicated that they regularly signed nondisclosure clauses. Recognizing that institutional policy permitted potentially wide acceptance of nondisclosure clauses, the survey covering 2006 contracts gathered data on whether specific contracts included nondisclosure clauses. The data showed that nondisclosure was highly variable by publisher, suggesting that at the time some publishers, particularly Wiley, were more actively seeking nondisclosure clauses. The 2012 survey gathered information both on policy and behavior. The two are somewhat out of sync. Some institutions were reporting on multiyear contracts that were signed prior to adoption of later policies to avoid nondisclosure in future contracts. At the institution level, fifty institutions indicated whether they had nondisclosure policies in place. Of those, 49 percent reported they had nondisclosure policies, and 51 percent reported no policy on nondisclosure. This perhaps explains the observation that while a few publishers achieved much lower acceptance of nondisclosure terms in 2012 than 2006, Elsevier and Springer seemed to attain relatively stable rates of acceptance of nondisclosure (albeit with a minority of their research library customers). There were some comments suggesting that institutions are increasingly adopting nondisclosure policies and, over time, rates of acceptance of these clauses may diminish.



## Conclusions

Looking at a series of survey data over an extended time, both change and stasis tend to be thrown into high relief. On the one hand, a lengthy series may tend to overemphasize points of continuity by preferring to analyze data that are available for the entire time. Yet, within that continuity, identifiable variation becomes the focus of attention. While the most comparable data inevitably are selected for analysis and discussion, the differences in survey design partially reflect evolving perspectives on the situation. Some data are missing from the sequence because their importance changed over time. For instance, dual-format collecting evolved from a situation where print collecting predominated, with the licensing or acquisition of electronic materials representing an “add-on,” to a situation where libraries are actively minimizing their collecting of print.

The other significant complication in looking at the series of surveys is the impact of consolidation among commercial publishers during the period. Several publishers with which libraries had contracts in 2002 no longer existed as separate entities in 2012. Kluwer, Academic Press, and Blackwell disappeared as commercial enterprises between surveys. Because another publishing company in the survey absorbed each, to some extent their “data” were subsumed in the next survey rather than eliminated from the study population. There is no way to “factor out” this problem in a statistical sense, but perhaps the reader can be reassured by observing that, at the license level, the purchasing publishers tended to simply retain their existing license trajectory while bringing the newly acquired titles into their platform over time.

Setting aside the various limitations and shortcomings of the ARL surveys individually as well as the time series, some general observations seem inarguable. The adoption of large publisher e-journal bundles is now mostly complete within the ARL population. Feared or not, the large publisher journal packages dominate libraries’ licensed collections. And as successful as the bundles have been, consortia have emerged as the predominant mechanism for managing this key acquisition.

However, the structure of the product is still clearly immature, particularly in the arena of defining content and developing sustainable pricing models. Over more than a decade, the composition of large publisher bundles has fluctuated surprisingly. Early expectations that content would stabilize relatively rapidly in a digital age (whether grounded in the optimistic belief that a digital world would broaden access to the full published literature or in the fear that libraries would have no ability to select less than a publishers’ full list) have proved short-sighted. This is not to say that ARL found that libraries have been successful in reducing costs commensurate with reduction in the comprehensiveness of packages (since these studies gathered no data about price increases or reductions). There is reason to believe that libraries have reduced costs

somewhat by trimming packages (as documented in news reports in the library and higher education press),<sup>25</sup> but analyses of the use of titles within the Big Deals suggest that substantial reductions in cost are unlikely within most deals beyond elimination of a

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**... substantial reductions in cost  
are unlikely within most deals  
beyond elimination of a certain  
modest margin of titles.**

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certain modest margin of titles.<sup>26</sup> While the typical “Big Deal” is something less than the full publisher list, it is not clear that most Big Deals cover a substantially smaller list or that successive pruning between contracts is feasible. Theodore Bergstrom suggests in a recent paper that an ongoing project to assemble licenses for large commercial publishers will report substantial differences in prices paid by different universities based on the cumulative effects of differential negotiating despite a common basis in historical print collections.<sup>27</sup> There is a wide field here for further study comparing different deals and assessing occasions where price reductions have been achieved.

Initial optimism that a new pricing model tailored to the opportunities and characteristics of digital journal publishing would emerge has not panned out. Neither the early market studies of the 1990s nor market forces acting over multiple negotiating cycles have produced a sustainable new strategy for pricing and selling the largest publisher packages of e-journals. Clearly, pricing based on the historical print subscriptions of decades past is not sustainable, but both libraries and publishers have work to do in finding viable new alternatives.

Perhaps an even more surprising market failure has been the inability to date to free the publishing system from the costs of parallel print and electronic publishing, even though research libraries have largely ceased to collect print versions of licensed journals. The persistence of hybrid print and electronic publishing, despite the demise of wholesale print collecting, is a disappointment to many in the library community, given the documented costs of vestigial print production. It would seem that publishers and libraries both have an incentive to eliminate the costs of print publishing, and much ink

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has been consumed in articulating the readers’ embrace of electronic journals. Perhaps it is time to explore afresh what constraints on full electronic conversion remain at this stage in the evolution of scholarly journals.

In contrast, during the period of the ARL e-journal surveys, new open-access journals—largely freed of the costs of print production—have proliferated both in terms of number of titles and number of articles published.<sup>28</sup> In light of lingering print equivalents for established journals and historically based

pricing models, it appears easier to deliver e-only publications with new funding models than to convert established titles and publishers to e-only publishing. The Sponsoring Consortium for Open Access Publishing in Particle Physics, known as SCOAP<sup>3</sup>, stands out as one unique effort to actively encourage the elimination of print production costs for the journals covered by the project, in addition to making them openly accessible.<sup>29</sup> Titles from a few of the largest publishers in the survey will be part of SCOAP<sup>3</sup> and should serve as a test case for any issues emerging from eliminating their print format.

Some early worries around licensing terms persist despite vacillations over time, nondisclosure being one of them. While ARL issued a public statement in 2009 encour-



aging its members to refrain from signing nondisclosure or confidentiality clauses,<sup>30</sup> the survey responses for 2012 indicated that some libraries are still accepting those terms. Public institutions, however, may be assuming that laws requiring openness in government records will apply, and survey comments did signal that libraries were increasingly limiting acceptance of those clauses.

The survey responses for 2012 indicated that license provisions for interlibrary loan terms also continue to be a source of concern. The licenses presented by publishers can severely limit a library's ability to lend digital works and often include a variety of clauses ranging from limited restrictions to complete prohibition of interlibrary loans.

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**The licenses presented by publishers can severely limit a library's ability to lend digital works and often include a variety of clauses ranging from limited restrictions to complete prohibition of interlibrary loans.**

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Preservation and retention of content after cancellation are becoming more standard features in licenses, and libraries are bringing to the negotiating table new clauses for open-access deposit and text or content mining. Model licenses and model clauses can serve as useful tools as these new issues arise.<sup>31</sup> Future surveys may take a closer look at these and other emerging issues as research libraries continue to license the large corpus of journals provided by commercial publishers.

## Acknowledgements

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## Appendix A

### 2006 Selected Survey Questions

These questions provided the data reported in this article. This survey covers the journal bundles of five specific publishers: Blackwell, Elsevier, Springer, Taylor & Francis, and Wiley.

- Please indicate whether your library (or a consortium on your library’s behalf) has licensed or is working on licensing access to a bundled collection of journals from any of these publishers for 2006.
- Is the bundled journal contract for your library handled through a consortium?
- Please indicate the extent of the bundle for each publisher with whom your library has or is working on a contract for 2006.
- Please indicate the formats that are included with each bundled collection of journals for 2006.
- Do any of the licenses for the bundled collections of journals include a nondisclosure clause about the terms of the license?

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**Table 8.**  
Please indicate whether your library (or a consortium on your library’s behalf) has licensed or is working on licensing access to a bundled collection of journals from any of these publishers for 2006.

	Blackwell	Elsevier	Springer	Taylor & Francis	Wiley
Have licensed a bundle for 2006					
Are working on a bundle license for 2006					
Don’t have a bundle, just a title-by-title purchase agreement					
Have no titles with this publisher					

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**Table 9.**  
Is the bundled journal contract for your library handled through a consortium?

	Blackwell	Elsevier	Springer	Taylor & Francis	Wiley
Yes					
No					

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Table 10.

Please indicate the extent of the bundle for each publisher with whom your library has or is working on a contract for 2006.

	Blackwell	Elsevier	Springer	Taylor & Francis	Wiley
All of the publisher's titles					
All of the publisher's titles held among the members of a consortium (or some subset of the members)					
All of the publisher's titles held by our institution or library					
Other					
Please briefly explain Other					

Table 11.

Please indicate the formats that are included with each bundled collection of journals for 2006.

	Blackwell	Elsevier	Springer	Taylor & Francis	Wiley
All print plus electronic					
Electronic only					
Mixed: print plus electronic and electronic only					
Other					
Please briefly explain Other					



# Table 12.

Do any of the licenses for the bundled collections of journals include a nondisclosure clause about the terms of the license?

	Blackwell	Elsevier	Springer	Taylor & Francis	Wiley
Yes					
No					

## Appendix B

### 2012 Selected Survey Questions

These questions from the 2012 ARL member survey produced the data reported in this article.

This survey covers the journal bundles of seven specific publishers: American Chemical Society, Elsevier (excluding Freedom Collection subscribers), Nature, Sage, Springer, Taylor & Francis, and Wiley.

- Please indicate if your library has a contract either directly or through consortia for some bundle of journals from each of the publishers below for 2012. Please check either Yes or No for each publisher.
- Is your 2012 bundled journal contract handled through a consortium?
- Please indicate the extent of the bundle for each publisher with whom your library has a contract for 2012. Your answer choices are:
  - Answer A: All of the publisher’s titles
  - Answer B: A subset of the publisher’s titles chosen collectively by the members of a consortium (or some subset of the members)
  - Answer C: A subset of the publisher’s titles chosen by your institution or library
  - Answer D: Don’t have a bundle, just a title-by-title purchase agreement
  - Answer E: Cannot disclose.
- Please indicate the pricing model that most closely describes your 2012 contract.
- Did your library sign a nondisclosure clause covering the 2012 contract?
- Does your library collect print copies of the journal titles included in your 2012 contract?

## Table 13.

Please indicate if your library has a contract either directly or through consortia for some bundle of journals from each of the publishers below for 2012. Please check either Yes or No for each publisher.

American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
Yes						
No						

## Table 14.

Is your 2012 bundled journal contract handled through a consortium?

American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
Yes						
No						



Table 15.

Please indicate the extent of the bundle for each publisher with whom your library has a contract for 2012.

	American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
All of the publisher's titles							
A subset of the publisher's titles chosen collectively by the members of a consortium (or some subset of the members)							
A subset of the publisher's titles chosen by your institution or library							
Don't have a bundle, just a title-by-title purchase agreement							
Cannot disclose							
Other							
Please briefly explain Other							



Table 16.  
Please indicate the pricing model that most closely describes your 2012 contract.

	American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
Historic subscription/ spend plus and inflation increment							
Aggregate subscription price for titles included							
Tiered pricing based on institution size							
Usage-based pricing							
Cannot disclose							
Other pricing model							
Please briefly describe the other pricing model							

Table 17.

Does your library collect print copies of the journal titles included in your 2012 contract?

American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
Yes, for all titles in the bundle						
Yes, for selected titles in the bundle						
No						
Cannot disclose						

Table 18.

Did your library sign a nondisclosure clause covering the 2012 contract?

American Chemical Society (ACS)	Elsevier (exclude Freedom Collection)	Nature	Sage	Springer	Taylor & Francis	Wiley
Yes						
No						



## Notes

1. Richard Poynder, "The Big Deal: Not Price But Cost," *Information Today* 28, 8 (September 2011) provides a historical perspective based on interviews with publishers and librarians.
2. The November 2012 *STM Report* by Mark Ware and Michael Mabe reports on an estimate by the research service Outsell Inc. that the global 2011 annual revenues from science, technology, and medicine (STM) journals were \$9.4 billion, with just over half of the revenues coming from the United States. A May 4, 2013, article in *The Economist* titled "Free-for-All" reported that Elsevier had a margin of 38 percent on revenues of \$3.2 billion, with Springer at 36 percent on revenues of \$1.1 billion.
3. For a thorough and extensive analysis of the historic pricing dynamics for scientific journals and their deconstruction at the turn of the century, see Carol Tenopir and Donald W. King, *Towards Electronic Journals: Realities for Scientists, Librarians, and Publishers* (Washington, DC: Special Libraries Association, 2000).
4. James Q. Arnold, Robert C. Badger, and Richard E. Lucier, *Red Sage Final Report* (1997), <http://www.springer-ny.com/press/redsage/>; Richard E. Lucier and Robert C. Badger, "Red Sage Project," *Serials Librarian* 24, 3/4 (1994): 129–34.
5. Marthyn Borghuis, Hans Brinckman, Albert Fischer, Karen Hunter, Eleonore van der Loo, Rob ter Mors, Paul Mostert, and Jaco Zijlstra, *Tulip Final Report* (Elsevier Science, 1996).
6. There is a long-standing and extensive literature on serial pricing trends within the library science literature—far too extensive to cite in detail. The long-running series of annual studies of journal prices published since the 1960s in *Library Journal* is a product of these concerns. The opening sentence of the 1978 article provides some flavor, saying, "Once again this annual survey of the subscription prices of American periodicals indicates that journal prices have risen alarmingly." (Norman B. Brown, "Price Indexes for 1978 U.S. Periodicals and Serial Services," *Library Journal* 103, 13 [July 1978]: 1356.) Ann Okerson and the Association of Research Libraries (ARL), *Report of the ARL Serials Prices Project* (Washington, DC: ARL, 1989), <http://catalog.hathitrust.org/Record/001527850>, provide one exemplar of the research library community's perspective from just prior to the development of e-journals. A historical overview of ARL's perspective and role in responding to concerns with serial prices is provided in Mary M. Case, "Scholarly Communication: ARL As a Catalyst for Change," *portal: Libraries and the Academy* 9, 3 (2009): 381–95.
7. Kenneth Frazier, "The Librarians' Dilemma: Contemplating the Costs of the Big Deal," *D-Lib Magazine* 7, 3 (2001), <http://www.dlib.org/dlib/march01/frazier/03frazier.html>.
8. Anne R. Kenney, Richard Entlich, Peter B. Hirtle, Nancy Y. McGovern, and Ellie L. Buckley, *E-Journal Archiving Metes and Bounds: A Survey of the Landscape* (Washington, DC: Council on Library and Information Resources [CLIR], 2006), <http://www.clir.org/pubs/abstract/pub138abst.html>, provides a thorough analysis of the preservation concerns and situation from roughly midway through the time series covered in this analysis.
9. The large and small studies of institutions' transition to e-only collecting are too numerous to describe individually, but Chandra Prabha, "Shifting from Print to Electronic Journals in ARL University Libraries," *Serials Review* 33, 1 (March 2007): 4–13, offers a broad community-level study of a key point in the transition. The work of Brian E. C. Schottlaender, Gary S. Lawrence, Cecily Johns, Claire Le Donne, and Laura Fosbender, *Collection Management Strategies in a Digital Environment* (Berkeley: University of California, Office of the President, January 2004), <http://www.ucop.edu/cmi/finalreport/cmireportfinal.pdf>, provides another formative, multi-institutional analysis of use and collecting of print and electronic journal formats. A great deal of additional relevant literature is described and discussed in two key literature reviews: Daryl R. Bullis and Lorre Smith, "Looking Back, Moving Forward in the Digital Age: A Review of the Collection Management and Development Literature, 2004–2008," *Library Resources & Technical Services* 55, 4 (October 1, 2011): 205–20; Linda L. Phillips and Sara R. Williams,



- "Collection Development Embraces the Digital Age: A Review of the Literature, 1997–2003," *Library Resources & Technical Services* 48, 4 (October 2004): 273–99.
10. Roger C. Schonfeld, Donald W. King, Ann Okerson, and Eileen Gifford Fenton, "Library Periodicals Expenses: Comparison of Non-Subscription Costs of Print and Electronic Formats on a Life-Cycle Basis," *D-Lib Magazine* 10, 1 (2004), <http://www.dlib.org/dlib/january04/schonfeld/0shonfeld.html>; Roger C. Schonfeld, Donald W. King, Ann Okerson, and Eileen Gifford Fenton, *The Nonsubscription Side of Periodicals: Changes in Library Operations and Costs Between Print and Electronic Formats* (Washington, DC: CLIR, 2004), <http://www.clir.org/pubs/reports/pub127/pub127.pdf>.
  11. Ross Atkinson, "Six Key Challenges for the Future of Collection Development," *Library Resources & Technical Services* 50, 4 (October 2006): 244–51.
  12. Richard K. Johnson and Judy Luther, *The E-Only Tipping Point for Journals: What's Ahead in the Print-to-Electronic Transition Zone* (Washington, DC: ARL, 2007), [http://www.arl.org/storage/documents/publications/electronic\\_transition-2007.pdf](http://www.arl.org/storage/documents/publications/electronic_transition-2007.pdf).
  13. ARL and its partner library associations issued a set of draft "Principles for Licensing Electronic Resources" in 1997 (<http://www.arl.org/storage/documents/publications/licensing-principles-1997.pdf>) that is still referred to today. The association also developed a series of workshops on licensing to introduce the library community to best practices in contract terms and negotiations. Ann Okerson wrote about the need for the establishment and early growth of the LIBLICENSE project in "The LIBLICENSE Project and How It Grows," *D-Lib Magazine* 5, 9 (September 1999), <http://www.dlib.org/dlib/september99/okerson/09okerson.html>. Negotiating licenses is expensive and time-consuming and, a decade later, an alternative strategy for managing licenses was developed. Karla L. Hahn, "SERU (Shared Electronic Resources Understanding): Opening Up New Possibilities for Electronic Resources Transactions," *D-Lib Magazine* 13, 11–12 (December 11, 2007), doi:10.1045/november2007-hahn.
  14. The statistics themselves are available at <http://www.arl.org/focus-areas/statistics-assessment/arl-statistics-salary-survey>, but Mary M. Case, "A Snapshot in Time: ARL Libraries and Electronic Journal Resources," *ARL Bimonthly Report* 235 (2004): 1–10 presents a convenient time series.
  15. All three studies have been reported in publications of ARL as follows: Mary M. Case, "A Snapshot in Time"; Karla L. Hahn, "The State of the Large Publisher Bundle: Findings from an ARL Member Survey," *ARL Bimonthly Report* 245 (2006): 1–6; Karla L. Strieb and Julia C. Blixrud, "The State of Large-Publisher Bundles in 2012," *Research Library Issues* 282 (Spring 2013), <http://publications.arl.org/rli282/1>.
  16. Jeffrey N. Gatten and Tom Sanville, "An Orderly Retreat from the Big Deal: Is It Possible for Consortia?" *D-Lib Magazine* 10, 10 (2004), <http://www.dlib.org/dlib/october04/gatten/10gatten.html>.
  17. International Coalition of Library Consortia (ICOLC), "Statement on the Global Economic Crisis and Its Impact on Consortial Licenses" (January 19, 2009), accessed April 25, 2013, <http://icolc.net/statement/statement-global-economic-crisis-and-its-impact-consortial-licenses>. The persistence of the effects of the recession on libraries and consortia were asserted again in ICOLC, "Revised Statement on the Global Economic Crisis and Its Impact on Consortial Licenses" (June 14, 2010), accessed April 25, 2013, <http://icolc.net/statement/revised-statement-global-economic-crisis-and-its-impact-consortial-licenses>.
  18. Karla Hahn, "ARL Statement to Scholarly Publishers on the Global Economic Crisis," *Research Library Issues: A Bimonthly Report from ARL, CNI [Coalition for Networked Information], and SPARC [Scholarly Publishing and Academic Resources Coalition]* (February 2009).
  19. Jonathan Nabe and David C. Fowler, "Leaving the 'Big Deal': Consequences and Next Steps," *Serials Librarian* 62, 1–4 (June 2012): 59–72, doi:10.1080/0361526X.2012.652524; Jennifer Howard, "Libraries Abandon Expensive 'Big Deal' Subscription Packages to Multiple Journals," *Chronicle of Higher Education* (July 17, 2011), <http://chronicle.com/>





- article/Libraries-Abandon-Expensive/128220/; California Digital Library, "Systemwide Library License Reductions in a Time of Fiscal Challenge (Public Letter)" (May 16, 2011), [www.cdlib.org/services/collections/current/publicbudgetletter2011.html](http://www.cdlib.org/services/collections/current/publicbudgetletter2011.html).
20. Charles B. Lowry, "Three Years and Counting—The Economic Crisis Is Still with Us," *portal: Libraries and the Academy* 11, 3 (July 2011): 757–64; Charles B. Lowry, "Year 2 of the 'Great Recession': Surviving the Present by Building the Future," *Journal of Library Administration* 51, 1 (January 2011): 37–53.
21. Lowry, "Year 2 of the 'Great Recession,'" 44.
22. Several other surveys have collected data on facets of licensing large publisher bundles, but most have gathered data at a single point in time, or in the case of the ICOLC, "Battlefield Surveys" have not been publicly reported. See the Prabha study cited in note 9, and Emma Cryer and Karen S. Grigg, "Consortia and Journal Package Renewal: Evolving Trends in the 'Big Package Deal?'" *Journal of Electronic Resources in Medical Libraries* 8, 1 (January 2011): 22–34; Christina Torbert, "Collaborative Journal Purchasing Today: Results of a Survey," *Serials Librarian* 55, 1–2 (2008): 168–83, for examples of other broad surveys relating to Big Deals and ARL library practices.
23. All three studies have been reported in publications of ARL as follows: Mary M. Case, "A Snapshot in Time"; Karla L. Hahn, "The State of the Large Publisher Bundle"; Karla L. Strieb and Julia C. Blixrud, "The State of Large-Publisher Bundles in 2012."
24. In note 13, see the reference to the 1997 "Principles for Licensing Electronic Resources"
25. Library Consortia, "Statement on the Global Economic Crisis," and Library Consortia, "Revised Statement" (see note 17).
26. A careful reading of Deborah D. Bleicic, Stephen E. Wiberley Jr., Joan B. Fiscella, Sara Bahnmaier-Blaszczak, and Rebecca Lowery, "Deal or No Deal? Evaluating Big Deals and Their Journals," *College & Research Libraries* 74, 2 (March 1, 2013): 178–94; Jeffrey N. Gatten and Tom Sanville, "An Orderly Retreat from the Big Deal," illustrates the dynamic at play.
27. Theodore Bergstrom, "Librarians and the Terrible Fix: Economics of the Big Deal," *Serials: The Journal for the Serials Community* 23, 2 (January 1, 2010): 77–82.
28. The growth of open-access journals can be documented through news released from the *Directory of Open Access Journals* (DOAJ) at <http://www.doaj.org/>.
29. Richard Van Noorden, "Open-Access Deal for Particle Physics: Consortium Brokers Agreement with 12 Journals," *Nature* (September 27, 2012); see the project Web site at <http://scoop3.org>.
30. "ARL Encourages Members to Refrain from Signing Nondisclosure or Confidentiality Clauses," *Research Library Issues: A Bimonthly Report from ARL, CNI, and SPARC* 264 (June 2009): 1–2, <http://publications.arl.org/rli264/2>.
31. The LIBLICENSE site at <http://liblicense.crl.edu/licensing-information/model-license/> includes links to a few model licenses.